

Before the Board of Zoning Adjustment, D.C.

PUBLIC HEARING -- July 12, 1967

Appeal No. 9277 Bowman Motor Sales Inc., appellant.

The Zoning Administrator of the District of Columbia, appellee.

On motion duly made, seconded and unanimously carried, the following Order was entered at the meeting of the Board on July 19, 1967.

EFFECTIVE DATE OF ORDER - August 1, 1968

ORDERED:

That the appeal for variance from use provisions of the C-2 District to permit storage of new cars at 7009 Blair Rd., NW., lot 805, Sq. 3187 be granted.

FINDING OF FACTS:

- (1) The subject property is located in a C-2 District.
- (2) The property is now used as a lot for the storage of automobiles and is enclosed with a chain link fence approximately eight feet in height.
- (3) The owner of the property is a new and used car dealer with its business salesrooms located at 7520 Georgia Ave., NW. The business has been in operation for approximately 30 years with something in the neighborhood of forty employees.
- (4) The property in question has an irregular shape with 101.74 feet on Blair Rd., NW.; 150.88 feet on the western boundary; 67.92 feet on the eastern boundary; and 169.34 feet at the southern boundary. The property contains approximately 13,384 square feet.
- (5) By letter dated June 5, 1967 (BZA Exhibit No. 4a) John R. Beemer, Chief Permit Branch, cancelled the certificate of occupancy No. B-58391 authorizing storage of used and new motor vehicles. The certificate was issued in error.
- (6) A representative from Neighbors, Inc. appeared at the public hearing to oppose the subject appeal.
- (7) By letter dated August 14, 1967 (BZA Exhibit No. 14) Neighbors, Inc. requested that the Board rehear this case. At its executive session on August 16, 1967 the Board by a 4-1 vote, Mr. Hatton dissenting, denied the rehearing request.

#9277

OPINION:

We are of the opinion that this appeal should be granted. The granting of this appeal will have no adverse affect upon nearby and adjoining property and will not be to the detriment of the intent and purposes of the zoning regulations and map. The line between selling and storing new cars is a nebulous one. At least this Board is not able to make such a fine distinction.

The Order shall be subject to the following conditions:

- (a) The lot shall be paved with an all-weather impervious surface.
- (b) All parts of the lot shall be kept free of refuse or debris and shall be paved or landscaped. Landscaping shall be maintained in a healthy growing condition and in a neat and orderly appearance.

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT.

ATTESTED:

By: James E. Bess
JAMES E. BESS
Secretary of the Board